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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,742	08/03/2001	Jun Yoshida	SONYJP-124	2022
530	7590	06/01/2005	EXAMINER	
LERNER, DAVID, LITTENBERG, KRMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/830,742	YOSHIDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lalita M Hamilton	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 February 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 22-40 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 22-40 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### Summary

On November 3, 2004, an Office Action was sent to the Applicant's rejecting claims 1-21. On February 7, 2005, the Applicant responded by canceling claims 1-21 and adding new claims 22-40.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Hutchinson (2005/0102188).

Hutchinson discloses a method and corresponding system for ordering goods and services over a network comprising purchasing an item using a terminal apparatus connected to a supplier server through a communication line, the method comprising: accumulating data associated with a user request to purchase the item at the supplier server, contacting, by the supplier server, a credit company server to obtain a credit contract associated with the user request to purchase the item, determining, at the credit company server, whether the user is authorized to receive credit for purchasing the item, and sending the credit contract from the credit company server to the user if

the user is authorized receive credit for purchasing the item (p.13, 125 and p.14, 128-130); sending a notification from the credit company server to the supplier server indicating that the user is authorized to purchase the item if the user is authorized to receive credit for purchasing the item (p.13, 125 and p.14, 128-130); communicating with a database having credit information relating to the user (p.13, 125 and p.14, 128-130); sending a notification to the user indicating denial of credit for purchasing the item if the user is not authorized to receive credit for purchasing the item (p.13, 125 and p.14, 128-130); sending a notification from the credit company server to the supplier server indicating that the user is not authorized to purchase the item the user is not authorized to receive credit for purchasing the item (p.13, 125 and p.14, 128-130); providing the user with credit payment options including the frequency of payments associated with purchasing the item if the user is authorized to receive credit for purchasing the item (p.13, 121-123); providing the user with credit payment options including the amount of each payment associated with purchasing the item if the user authorized to receive credit for purchasing the item (p.13, 121-123); associating a commission with the item based on the identity of the supplier (p.14, 128); associating a commission with the item based on the identity of the user (p.14, 128); printing the credit contract and sending the printed credit contract to the user (p.13, 125 and p.14, 128-130—at discretion of user); transmitting an electronic copy of the credit to a terminal apparatus associated with the user (p.13, 125 and p.14, 128-130); user applying a digital signature to the electronic copy of the credit contract and transmitting the signed electronic contract to the supplier server (p.8, 83); selecting a credit payment

method for the good being purchased using a user terminal coupled to a server, determining, by the server, payment options associated with the credit payment method, the payment options including a payment frequency and a payment starting date, and requesting, by the server, that a user associated with the user terminal agree to the credit payment method including the payment options (p.13, 121-125 and p.14, 128-130); transmitting information associated with the user to a credit company server (p.13, 125 and p.14, 128-130); determining, at the credit company server, an interest rate associated with the good being purchased based on the information associated with the user (p.6, 71 and p.12, 115); determining, at the credit company server, an interest rate associated with the good being purchased based on the type of good being purchased (p.6, 71 and p.12, 115); transmitting a contract to the user terminal when the user indicates acceptance of the credit payment method (p.13, 125 and p.14, 128-130); determining if the user is a student or a housewife (during application process, questionnaire); and determining the user has previously purchased another good from a supplier associated with the server (p.9, 89 and p.12-13, 118—records kept on registered participants).

**Provisional Application Listed on PTO-892 form**

If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application,

applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

***Response to Arguments***

Applicant's arguments with respect to claims 22-40 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LMH

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